



Arizona®
State Parks

In reply, please refer to:
SHPO-2005-1150

June 3, 2005

EE-1595

KB

Vicki Rutson
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

Janet Napolitano
Governor

State Parks
Board Members

Chair
Elizabeth Stewart
Tempe

William C. Porter
Kingman

William Cordasco
Flagstaff

Janice Chilton
Payson

William C. Scalzo
Phoenix

John U. Hays
Yarnell

Mark Winkleman
State Land
Commissioner

Kenneth E. Travous
Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
www.azstateparks.com

800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

RE: STB Docket No. AB-441 (Sub No. 4X) ,
San Pedro Railroad Operating Company, LLC

Dear Ms. Rutson:

I have reviewed the material submitted by John D. Heffner, PLLC, regarding the above referenced undertaking pursuant to 36 CFR Part 800 and have the following comments:

Regarding the San Pedro Railroad Operating Company, LLC's (SPROC's) proposed abandonment project in Cochise County, Arizona, in the above referenced case, as you may know, each of the lines proposed to be abandoned as part of the project was already recently abandoned within the last 10 years, but for various reasons, these abandonments were not consummated and now the current owner seeks authority to re-abandon them.

The SPROC has asked my office to concur in a request to the Section of Environmental Analysis that it waive the regulatory requirements for the submission of a topographic or similar map and color photographs of the line as part of its combined environmental and historic report. Normally, I would have no objection to this request in view of the substantial documentation already on file in connection with previous efforts to abandon these rail lines. However, in the course of reviewing my files, I note that the STB conditioned its approval of the 2003 abandonment request for the 19.9 mile segment between MP 1040.15 at Curtiss and MP 1055.8 at Charleston by a SPROC predecessor [SWKR Operating Co.] on compliance with Section 106 of the National Historic Preservation Act. I agreed to give my consent to SPROC's waiver request conditioned on its furnishing my office a topographic or equivalent map and color photographs for this 19.9 segment at the time it submits the final environmental and historic report with its abandonment petition on or about June 1, 2005.

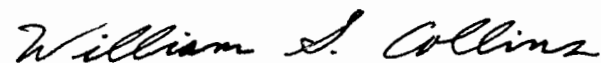
Because these prior abandonments occurred so recently, I verify to the Surface Transportation Board, on behalf of the Arizona State Historic Preservation Office, that, as to the subject rail line south and east of MP 1055.8 at Charleston, our

V. Rutson
6/3/2005
p. 2

concluded that no historic structures exist along the lines, that it does not need a copy of a detailed map showing structures on the lines and does not need to review photographs of structures along the lines in order to make a current assessment of any historic preservation impacts that might occur, and that it would have no objection to the STB waiving the requirements under 49 CFR 1105.8(d)(1) and (3) that the applicant provide a detailed map and photographs of the lines with its Environmental and Historic Report. My office will require that SPROC satisfy the map and color photograph requirements of the regulations as to that portion of the subject rail lines between MP 1040.15 at Curtiss and MP 1055.8 at Charleston.

If you have any questions or requests, you may contact me at (602) 542-7159, or by e-mail at wcollins@pr.state.az.us.

Sincerely,

A handwritten signature in black ink that reads "William S. Collins". The script is cursive and fluid, with the first letters of the first and last names being capitalized and prominent.

William S. Collins, Ph.D.
Deputy State Historic Preservation Officer
State Historic Preservation Office